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Docket 222
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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

21 JUN 1994

IN REPLY REFER TO:

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7330-7/1700A3

JUN 24 1994

Honorable Harris W. Fawell
U.S. House of Representatives
2342 Rayburn House Office Building
Washington, D.C. 20515

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

Dear Congressman Fawell:

This is in reply to your letter of June 7, 1994, in which you inquired on behalf of your constituent, Vivian M. Lund of the DuPage Mayors and Managers Conference, regarding the Notice of Proposed Rule Making (Notice) in PR Docket No. 92-235, 57 FR 54034 (1992). This Notice proposes comprehensive changes to the Commission's Rules governing the private land mobile radio services operating in the frequency bands below 512 MHz.

The proposals in the Notice reflect to a large extent concepts and proposals submitted in the initial inquiry stages of this proceeding. None of the proposals set forth in the Notice, however, are engraved in stone. Indeed, the proposals represented our best judgment at that stage of the proceeding on steps that must be taken to improve the regulatory climate for users of the private land mobile radio spectrum below 512 MHz. I have enclosed for your information a copy of that part of the Notice that describes the numerous proposals, a discussion paper released March 1, 1993, and a Public Notice dated April 18, 1994. In sum, we intend to establish a lengthy transition that will minimize the cost to all licensees, including public safety agencies.

Thank you for your interest in this proceeding. We expect to issue final rules in late summer. If you or Ms. Lund have further questions, please contact Dr. Doron Fertig of my staff at (202) 632-6497.

Sincerely,

/s/ Edward R. Jacobs
Deputy Chief, Land Mobile and
Microwave Division

Enclosures

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HARRIS W. FAWELL
13TH DISTRICT, ILLINOIS

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Congress of the United States
House of Representatives

Washington, DC 20515-1313

June 7, 1994

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PRB
PR
2742

Mr. Terry Haines
Chief of Staff
Federal Communications Comm.
1919 M Street NW
Washington, D.C. 20554-0001

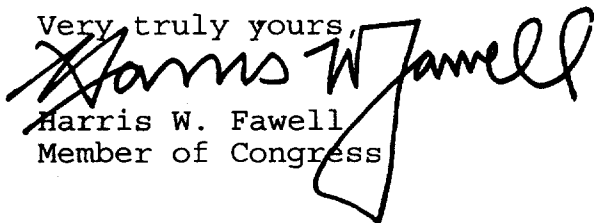
Dear Mr. Haines:

I am writing to bring to your attention the concerns of a constituent of mine, Vivian Lund, who was writing on behalf of the DuPage Mayors and Managers Conference, regarding the FCC proposed regulations governing private land mobile radio services.

As you will see, the DuPage Mayors and Managers Conference is concerned that the regulations will make existing equipment obsolete, thus creating an unfunded mandate. As a member of the House Unfunded Mandates Caucus, I would be concerned if this analysis is accurate, and ask that you keep their concerns in mind as you develop final regulations.

Thank you, in advance, for your assistance. I look forward to receiving your reply.

Very truly yours,


Harris W. Fawell
Member of Congress

HWF:wg
Enclosure



DUPAGE MAYORS AND MANAGERS CONFERENCE

an association of municipalities representing over 800,000 people

1220 Oak Brook Road
Oak Brook, Illinois 60521
(708) 571-0480
FAX: (708) 571-0484

Founded June 19, 1962

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Willowbrook
Winfield
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April 7, 1994

Reed C. Hundt, Chairman
Federal Communication Commission
1919 M Street
Washington, D.C. 20554

Ref: NPRM Docket# 92-235

Dear Chairman Hundt:

On behalf of the DuPage Mayors and Managers Conference, a consortium of 33 municipalities in DuPage County, Illinois, I would like to communicate our concern about pending Federal Communication Commission rulemaking.

The DuPage Mayors and Managers Conference recently learned that the Federal Communication Commission is in the process of amending the regulations governing private land mobile radio services. With the valuable assistance provided by FCC staff, we understand that the overall purpose for the rule changes is to lay the groundwork for migration to the next generation of radio technology. While the objectives are constructive, the Conference is concerned that the new rules will make some existing radio equipment obsolete. Premature obsolescence of existing equipment could represent a significant unplanned and unfunded mandate. Therefore, the Conference respectfully requests that the transition time period provided for meeting the new standards will be long enough to enable agencies with investment in current equipment time to amortize their expenditure.

Even though the formal public comment period has expired, the Conference respectfully requests that the Commission keep our concerns in mind as the final rules on this issue are written.

Sincerely,

Vivian M. Lund, President
DuPage Mayors and Managers Conference

cc: U.S. Senator Paul Simon
U.S. Senator Carol Moseley Braun
U.S. Congressman Henry Hyde
U.S. Congressman Harris Fawell ✓
U.S. Congressman Dennis Hastert
Dr. Doron Fertig, FCC Communications Analyst
Member Municipalities